

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBOTIC VISION TECHNOLOGIES LLC,
and FREDERICK WEIDINGER,

Plaintiffs,

v.

Case Number: 11-12909
Honorable Victoria A. Roberts

ADIL SHAFI,

Defendant.

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ORDER FOR DEFENDANT TO SHOW CAUSE

On February 18, 2014, the Court entered an Order appointing Dr. Lee Hollaar as Special Master. (Doc. # 55). The Order required Defendant to deliver a \$5,000 retainer to Dr. Hollaar by February 28, 2014; it also required Defendant to “produce its source code in its native development environment with the tools necessary to generate the compiled object by providing Dr. Hollaar with a portable laptop computer loaded with [the] respective systems, development systems and source code repositories (with full meta data)” by March 14, 2014. Defendant failed to deliver the retainer on time.

On March 5, 2014, Defendant filed an Amended Motion for Reconsideration of the Order Appointing Special Master. On March 10, 2014, the Court denied Defendant’s motion and ordered that “Defendant must deliver to Dr. Hollaar a retainer of \$5,000 no later than March 14, 2014; failure to do so will result in contempt of court and issuance of sanctions.” (Doc. # 58).

Defendant, again, failed to deliver the retainer to Dr. Hollaar on time; he also failed to deliver the laptop computer by the deadline. On March 14, 2014, Defendant’s counsel sent Dr. Hollaar an email stating that the computer would arrive March 18,

2014, and the retainer would be “in your hands shortly.”

On March 20, 2014, Dr. Hollaar formally notified the Court of Defendant’s noncompliance with the Court’s Orders. Defendant has repeatedly missed deadlines throughout this litigation in violation of this Court’s Orders (see *also* Docs. # 48 and 51); and, he continues to violate the Court’s Orders by failing to deliver the computer and retainer to Dr. Hollaar. In addition, Defendant’s counsel made material misrepresentations to Dr. Hollaar in his March 14, 2014 email. This is unacceptable.

In light of his repeated and ongoing violations of the Court’s Orders, Defendant must **show cause in writing by March 28, 2014**, why the Court should not hold him in contempt and enter an adverse inference against him regarding the infringement of Plaintiffs’ source code. Failure to show cause in writing may result in additional sanctions, including entry of default judgment against him and an award of costs and attorneys’ fees to Plaintiffs.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts
United States District Judge

Dated: March 20, 2014

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on March 20, 2014.

S/Carol A. Pinegar

Deputy Clerk